

Message Text

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FM AMEMBASSY BOGOTA

TO SECSTATE WASHDC 5848

C O N F I D E N T I A L BOGOTA 559

E.O. 11652: GDS

TAGS: PINT, CO

SUBJECT: HOUSE OF REPRESENTATIVES PRESIDENT UNDER ARREST ORDER

REF: 77 BOGOTA 10080

1. A SUPERIOR COURT JUDGE IN BOGOTA CONFIRMED, ON JANUARY 17, A LOWER COURT JUDGE'S DECISION OF LAST NOVEMBER TO PLACE THE PRESIDENT OF THE HOUSE OF REPRESENTATIVES, ALBERTO SANTOFIMIO BMTERO, UNDER DETENTION WHILE INVESTIGATIONS ARE CARRIED OUT CONCERNING ALLEGATIONS THAT HE HAD MISUSED HIS OFFICE FOR PERSONAL GAIN. THIS MARKS THE FIRST TIME A TOP OFFICIAL OF THE LEGISLATURE HAS BEEN ARRESTED FOR WRONGDOING ASSOCIATED WITH HIS PARLIAMENTARY OFFICE. THE DECISION HAS BEEN APPEALED, BASED ON AN ARGUMENT THAT SANTOFIMIO STILL ENJOYS PARLIAMENTARY IMMUNITY. THE COURT HAS THREE DAYS TO RULE ON THIS.

2. IN HIS DECISION THE JUDGE FOUND THAT THERE WAS SUFFICIENT EVIDENCE, THAT SANTOFIMIO HAD FALSIFIED PUBLIC DOCUMENTS, TO JUSTIFY HIS DETENTION. THE DEFENSE, IN ITS PARLIAMENTARY IMMUNITY APPEAL, ARGUED THAT SINCE THE STANDING COMMITTEES OF THE HOUSE WILL BE HOLDING SPECIAL SESSIONS DURING THE PERIOD UNTIL THE FEBRUARY ELECTIONS, SANTOFIMIO'S IMMUNITY CONTINUES IN FORCE EVEN THOUGH THE REGULAR CONGRESSIONAL SESSIMN HAS ENDED.

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3. COMMENTS AND REACTIONS TO THIS ORDER IN POLITICAL CIRCLES HAVE VARIED, WITH SANTOFIMIO SUPPORTERS STRONGLY DENOUNCING THE ENTIRE ISSUE AS A POLITICAL ATTACK ON SANTOFIMIO AND LIBERAL PARTY PRE-CANDIDATE JULIO CESAR TURBAY AYALA BY THE OTHER PRE-CANDIDATE, CARLOS LLERAS. SANTOFIMIO IS ONE OF TURBAY'S PRINCIPAL SUPPORTERS, AND CORRUPTION CHARGES AGAINST HIM ARE VIEWED AS PART OF THE CAMPAIGN TO ASSOCIATE TURBAY WITH VARIOUS

CORRUPT ELEMENTS. TURBAY DEPLORED THE JUDGE'S DECISION, STATING HIS CONVICTION THAT SANTOFIMIO WOULD BE EXONORATED OF THE CHARGES AGAINST HIM. HE FURTHER PREDICTED THAT SANTOFIMIO WOULD BE ELECTED TO THE SENATE IN FEBRUARY, DESPITE THE CHARGES. LLERAS' SUPPORTERS HAVE REFRAINED FROM PUBLIC COMMENT, AS HAVE CONSERVATIVE PARTY SPOKESMAN.

4. COMMENT: THIS RULING, AND THE CONTINUED ATTENTION THE INVESTIGATION INTO SANTOFIMIO'S ALLEGED WRONGDOINGS WILL RECEIVE, APPEARS TO DAMPEN HIS POLITICAL FUTURE. ONLY THIRTY-FOUR YEARS OLD, HE HAS HAD A METEORIC POLITICAL CAREER, HAVING BEEN ELECTED TO CONGRESS AT TWENTY-FOUR, NAMED MINISTER OF JUSTICE AT THIRTY-TWO, AND ELECTED PRESIDENT OF THE CHAMBER IN 1975. HE HAS BEEN CONSIDERED A POSSIBLE LIBERAL PARTY PRESIDENTIAL CANDIDATE IN 1982, AND AS A TOP OFFICIAL IN A TURBAY GOVERNMENT. GIVEN THE VAGARIES OF THE COLOMBIAN JUKCIAL SYSTEM, IT IS POSSIBLE THAT HE WILL SURVIVE THE CHARGES AGAINST HIM, AND MAY EMERGE IN A STRENGTHENED POSITION BY HAVING SUCCESSFULLY REFUTED THE ATTACKS OF HIS POLITICAL OPPONENTS. IT IS LIKELY, HOWEVER, THAT HE WILL NOT SOON REGAIN HIS PUBLIC IMAGE AS THE RISING STAR OF COLOMBIAN POLITICS.

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